



STEVEN A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN  
Governor

September 13, 2013

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Grant Humphreys, CEO  
Carlton Landing  
Pittsburg RW&SD #20  
P.O. Box 302  
Eufaula, OK 74332

RE: Pittsburg RW&SD #20, Facility No. S-30601  
Response to 13-ECLS-NOV-027  
Enforcement No. 134590

Dear Mr. Humphreys:

On June 11, 2013, the Oklahoma Department of Environmental Quality ("DEQ") mailed out a Notice of Violation ("NOV") to Pittsburg County RW&SD #20 ("Pittsburg RW&SD #20") listing violations of the Oklahoma State Statutes and/or Oklahoma Administrative Code ("OAC"). The NOV required Pittsburg RW&SD #20 to take whatever immediate actions necessary to prevent the reoccurrence of the violations cited. On August 1, 2013, Emily Hoskin, Environmental Specialist received an email in response to the NOV with an itemized list of tasks to be completed to bring the facility into compliance. DEQ was notified that the items had been completed and Ms. Hoskin inspected the site on August 7, 2013. Elizabeth Denning, Engineer Intern, and Wendy Sheets, Engineer Intern went to the site the following day on August 8, 2013. It was observed that Pittsburg RW&SD #20 had completed a lot of work to address the NOV, however, there were still actions needed to bring the facility into compliance with the construction standards of OAC 252:656. The following items were observed to be in violation of the construction standards and need to be addressed for compliance:

- The third lagoon cell still has an area that is not higher than the surrounding terrain and is allowing storm water runoff to excessively enter the cell. The drainage swales need some more work done to help divert the runoff from the lagoon dikes. Applicable construction standards are as follows: OAC 252:656-11-1(b) states, "Do not locate lagoons in floodways, and avoid flood plains. Divert storm water runoff around lagoons and protect embankments from erosion." OAC 252:656-11-3(b)(6) states, "Protect inner dikes from wave action and outer dikes from runoff and floodwaters."
- The third lagoon cell had signs of rill erosion on the dikes and was very severe in some areas. The dikes need to be compacted to at least ninety percent (90%) Standard



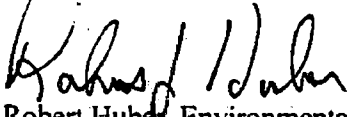
Proctor Density to help keep storm water from washing away the dike. OAC 252:656-11-3(b)(1) states, "Construct dikes of relatively impervious material and compact them to at least 90 percent Standard Proctor Density to form a stable structure. Remove vegetation and other unsuitable materials before construction."

- The third lagoon cell had large voids along the inside of the dike. These voids will collect storm water and cause further erosion of the dike. Fill needs to be placed and compacted within these voids to the OAC 252:656-11-2(b)(1) standards as stated above. OAC 252:656-11-3(c)(3)(F) states, "Take adequate measures to protect the integrity of the liner. On dike slopes, backfill shall consist of at least a 3-inch layer of sand or finely textured soil and covered with at least a 3-inch layer of heavier cobble, coarse gravel or small riprap."
- The third lagoon cell had some patches in the lagoon liner that were coming up. Please be sure all of the patches are welded closed to keep the lagoon liner from leaking.
- The third lagoon cell still had some areas where sharp rocks were protruding through the lagoon liner. Please be sure to remove all the rocks from inside of the dike to protect the integrity of the lagoon liner. While removing any rocks, fill the areas with soil to keep voids from forming under the liner. Any fill needs to be compacted to the standards. OAC 252:656-11-3(c)(3)(B) states, "Remove or cover sharp objects in the subsoil with a bedding of 2 to 4 inches of clean soil or sand."
- The third lagoon cell had areas in which the lagoon liner was not properly anchored and seemed to be slipping down the inside of the dike. Not properly anchoring the lagoon liner can allow storm water to get underneath and erode away the dike. OAC 252:656-11-3(c)(3)(E) states, "The anchor trench shall be a 6-inch minimum depth and placed at least 9 to 12 inches beyond the slope break of the dike."
- The manhole near the lift station is located right next to a drainage ditch and the outfall pipe causes storm water to rush past the side of the manhole. This has caused the lower part of the manhole to be exposed. Some kind of protective measure needs to be taken to keep the storm water from continuing to erode the area around the manhole to the point where pipe is exposed. Riprap could be placed around the outfall area to diffuse the storm water runoff and minimize the erosion or the outfall pipe could be re-located. OAC 656:252-5-4(f) states, "Protect sewer outfalls, headwalls, manholes, gate boxes and other structures located in flood plains from stream erosion. Locate structures so they do not interfere with the free discharge of flood flows."

Please take the steps necessary to address these items to bring the facility into compliance with the construction standards as part of the requirements listed in the issued Permit No. ST000061110460. Please provide DEQ with a timeline within thirty (30) days receipt of this letter, to correct the items listed above. If these items are not addressed then further enforcement will be pursued. Please direct all questions to Elizabeth Denning, by email

elizabeth.denning@dcq.ok.gov, by phone (405) 702-6154, or at the address on the letterhead.  
Thank you for your time and cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Huber", written over a horizontal line.

Robert Huber, Environmental Programs Manager  
Total Retention Lagoon Program  
Environmental Complaints and Local Services Division  
Oklahoma Department of Environmental Quality

cc: Elizabeth Denning, ECLS  
Central Records, Enforcement File